Team 3 Analysis of Proposed Multi-family Zoning Code.

1. Tabular Data (see drawings)

2. Enabling Factors

The principle differences are:

Height L3: +7 feet in height (one additional floor allowed for affordable housing)

Density L3: from 800 sf per unit to no limit.

Lot Coverage L1: from 50% to no limits less than 9000 sf lots.
Lot Coverage L3: from 40% to 50% non-townhouse; no limits less than 9000 sf lots.

Max Width L1: from 60 ft w/modulation to no limit less than 9000 sf lots.
Max Width L3: from 75 ft w/modulation (120 TH) to no limit less than 9000 s lots.

Max Depth L1: from 60% to no limit; 75% lots over 9000 sf.
Max Depth L3: from 65% to no limit; 75% lots over 9000 sf.

Front & Rear Setbacks L1: from 20 ft or 20% (min 15) to 5 ft min, average 7'.
Front & Rear Setbacks L3: from 25 ft or 15%, (min 15) to 5 ft min, average 7'.

Side Setbacks L1: 5-14 feet to min 5, aver 7.
Side Setbacks L3: 6-14 feet to min 5, aver 7.

Interior Setbacks L1 and L3: 15 – 25, 10 less than 40 ft width to building code.

Open Space L1: 300 sf /unit to 60 sf/unit or 250 sf common.
Open Space L3: 300 sf/ TH unit, 25% lot at grade to 60 sf/unit or 250 sf common.

Parking is eliminated for projects that meet certain affordability guidelines and has been previously eliminated for station areas.

Green Factor v. Open Space and Landscaping

The Green Factor will allow and result in less landscape and usable open space than the current code. Earlier studies showed that most older projects developed with landscape and usable open space (mixed-use and multi-family) met the Green Factor.

Our studies show that a site can be developed with no trees and still achieve the .6 Green Factor rating by utilizing green roofs and green screens, among other things. Developers successfully lobbied to have the off-site planting strip and sidewalk count in the calculation. This results in a substantial deduction from the on-site green. On corner lots this is a massive reduction.

The Green Factor appears to give substantial weight to reducing storm water run off, which results in less landscaping (less green) potentially creating sites with virtually no soils and, over time, no plants. The ultimate, low-cost site maintenance.

Each of our projects utilized soils less than 24 inches deep (except in the planting strip, which is actually offsite. Without water, the wind will quickly scour away these thin soils. Because of DPD's focus on non-enforcement and the Brown v. Tacoma decision, which prevents on-site inspection without a tenant complaint, there is no mechanism to survey and inspect built projects and there is no way to enforce upkeep. Because the green elements require more intense maintenance than traditional landscapes, they are at risk of disappearing altogether.

The Gray Factor projects will not contribute to the inventory of mature landscapes present in most neighborhoods and does not contribute to the health of the community. There are many studies that conclude that being able to see a tree from your living space contributes to better health for the residents.

DPD studies indicate that balconies and open space at grade, adjacent to public sidewalks are the most popular forms of open space. The proposal reduces the required open space by 80%.

Conclusion: The Green Factor is "green washing." The words hide the reality of a reduction in trees and landscaping. Dealing with storm water is a separate and tangential issue. It is not related to building resident and neighborhood landscape and open space amenities and should not be used to reduce the number of trees in a project.

3. Gating: FAR, Lot Coverage and Density Limits are limiting factors.

Both FAR (a new element in the code) and Lot Coverage limited the amount that could be built. The density limits limited the number of units that could be built. In other words, they formed the limiting factors. Where lot coverage has been eliminated on small lots, FAR replaces Lot Coverage as the limiter.

The density limit was a greater factor on smaller lots. Although the current rounding up and micro permitting allows for as much as a 33% increase in the number of units predicted by the code.

FAR is a planning tool, not a design tool. As proposed, it forms the most crude outer limit to what can be built. Lot Coverage is a better urban design tool, but only if it is set low enough. Lot coverage at 50% dictates a site defined by the outer setbacks and the driveway. Everything else is building. The bag is full. There is no opportunity to exercise any urban design. By setting lot coverage at 50% or eliminating it, the opportunity to "plan" the site is effectively eliminated, except for alley and corner lots.

Even a lot coverage of 45% would be more effective in creating urban design opportunities, than the proposed FAR.

4. Cost Factors

The Green Factor is potentially the primary additional cost outcome from the code. These costs include the initial added costs of special work items such as the special roof membrane and the long term costs of increased maintenance.

5. Evaluation

Our project examples all have mathematical derivations. Each Sketch-up model is linked to a master spreadsheet. As the model is stretched and manipulated the Excel spread sheet continuously updates the data set to indicate whether you have maximized the lot coverage and FAR. This should not be confused with urban design where a building is placed based a set of design factors such as the context of the street, adjacent sites, views and sun access.

Our examples suggest the new FAR is closely in tune with the original lot coverage, assuming a stacked plan. Taken together in our models, they produce fairly uniform and boring envelopes of consistent height. Neither address the issues that have created poor townhouse outcomes. In fact, because lot coverage is not changing or is being eliminated for town houses, the proposed code virtually guarantees more of the same, or possibly worse outcomes, such as stacks of boxes with no trees.

They do not solve the three main problems that lead to poor urban design:

A. Rule of 2s.
The present code allows for lots to be micro permitted into small parcels that each round up to one additional unit per each micro-parcel. This carefully nurtured loop hole was created in 1998 when the old code which did not allowing rounding up in low-rise zones was changed.

The present loop hole creates a 33% increase in unit density over what is intended in the code. The added units, from 4 to 6 typically on small sites, clog the site eliminating any opportunity to exercise urban design in arranging the buildings. The process includes an artful reverse permit process so that projects can be assembled to maximize the number of units while avoiding Design Review and SEPA.

Recommendation: Eliminate rounding up for projects of less than ten units.

B. Un-recorded Access Departures.
State law requires communities to have legislation requiring access from every lot. SMC sets the standards and identifies specific dimensional requirements for small developments as a minimum 20 foot width, a minimum 16 foot height, minimum 30 foot turning radius and a turnaround.

These standards were created for fire safety, making it possible to reach and fight a fire. As a fire three years ago in Wallingford demonstrated,

SMC also allows these standards to be modified through a formal departure process. In practice, no departure is recorded and the exceptions are allowed without any paper trail. These exceptions create the narrow entry drives and aisles necessary to allow four-pack construction.

Recommendation: Require DPD to follow the SMC ordinances. Require separate sidewalks leading to all units.

C. Front yards.
The proposed code dramatically reduces the minimum front (and rear) setbacks from 15 to 5 feet. No single change could more effectively destroy the streetscape in a

neighborhood, by eliminating privacy for the residents and the natural landscape buffer that defines the character of the sidewalk edge.

Among the goals for the new multifamily code is the notion of “eyes on the street.” Almost uniformly, buildings built closer than 15 feet to the sidewalk have windows with curtains and shades drawn, in order to preserve privacy. This not only eliminates eyes on the street, but sends the subliminal message that the residents not only are not watching the street, but that they have something to fear from the street. The proposal is a text book case of the way to create mean streets.

Equally important is having the building entrance on the street. This creates a clear connection between the inanimate architecture by suggesting people come and go from the building. In most cases it also presents a smaller, more people-scaled element which breaks down the scale of the building giving it a more personal feel.

The proposed code recognizes this as one more opportunity to deviate from the code and move the building closer to the edge of the site, by allowing the entry structure into the front setback. This important feature is only allowed (but never required) in areas near single family zoning.

Recommendation: Maintain existing 15 foot minimum front setback. Require all town house units that abut street right-of-way to have entries facing the street. Require all internal townhouse units to have entries visible from the street with a pedestrian walk leading to each entry. (Toronto Design Guide)

6. Comments.

Livability: The zoning code has many tasks: providing certainty to adjacent property owners and providing a measure for infrastructure planning are the normally expected ones. In Seattle, we also expect the zoning code to set a minimum level of livability. On that point the proposal is a failure and major setback. Living room windows 10 feet apart, no trees, entry walks that are driveways. And perhaps most alarming a lack of fire safety.

Affordability: The proposed code has been added affordability to the list of tasks. This is done with no relation to location in the city. Promoting bonuses to increase density without regard to location would seem to promote in-city sprawl.

Seattle has more than 250,000 existing housing units. In an average year we add 2000 new units, or less than 1%. Amending the code to provide bonuses for affordable units could add as much as 25% to the largest projects, if a developer thought this was an advantage. Assuming 10% if the 2000 units were to opt for this, that would mean a net increase of 8/100 of a percent increase.

Moreover, as our double lot schemes and history has shown, one layer of underground parking results in three layers of residential units. To add the fourth level for affordability, as provide in the proposal, cannot be matched by an equal amount of added parking, reducing the likelihood of additional affordable housing being built through code intervention.

Unfortunately, there is no clear link or mechanism to create affordability through zoning. Proponents base their economic arguments on land prices that are fixed. Putting more units on a property will make them cheaper. Unfortunately, land owners understand what can be built and price their property accordingly.

Density: The most notable finding from our experience and test studies are these:

Experience:

- Developers will build the most units on a given site because that will result in the highest return on investment. More-smaller will normally create a higher return than fewer-larger.

- Currently, insurance issues related to substandard building practices have stalled the condo (owned units in multifamily buildings) market, creating a significant advantage of townhouses over condos.

- In a market focuses on owner-occupancy, the code provides a significant advantage for townhouses over apartments. This results in lower density development, particularly in L3.

Recommendation: Remove the townhouse bonuses (see 5A, 5B, and 5C above) in L3.

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